

FILED

NOV - 2 2022

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HEATHER MARTY,

Defendant.

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4:22CR612 JAR/SRW

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and John J. Ware, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. Defendant is charged with transporting a stolen vehicle and running a chop shop.
2. Relevant factors pursuant to Title 18, United States Code, Section 3142(g) that favor detention are:

(a) the weight of the evidence against defendant;

The evidence is strong against defendant, she is captured on surveillance video driving the stolen vehicle at the Casino Queen Hotel in East St. Louis after it was stolen from a location in Missouri, video surveillance from other businesses also place her in the stolen vehicle in Missouri prior to its recovery in Illinois.

As to Count II, the evidence is equally strong. Marty was present at 2931 N. Jefferson (the Warehouse) the location of the chop shop on October 30, 2021 when a stolen motorcycle was recovered. The owner of the building told police that Marty was living there and “taking care” of the property. On November 18, 2021, officers discovered at least 3 stolen vehicles in the Warehouse, one of which was in a state of disassembly. On December 1, 2021, a search warrant of the Warehouse revealed more stolen vehicles, trailers, and tools. Marty was present in the warehouse at the time of this search. On June 20, 2022, Marty was once again discovered at the warehouse in possession of a stolen motorcycle.

(b) defendant’s history and characteristics;

Defendant is an inveterate thief who has been arrested multiple times for stealing vehicles. Several license plates and key fobs were found in the stolen vehicle when it was recovered belonging to other stolen vehicles along with stolen tools. Historical location data from Marty’s cellphone places her at the scene of 15 thefts in a four-day period from January 26-29, 2002 in which catalytic converters, vehicles, and tools were stolen.

Despite court-ordered supervision Marty has continued to steal on a daily basis. She has removed an electronic monitoring device placed on her during one of these periods of supervision. When arrested on June 20, 2022, Marty told police officers she was “just waiting to be indicted” and she was “going to keep doing what I need to do.”

(c) the nature and seriousness of the danger to any person or the community that would be posed by defendant’s release;

Defendant poses a serious economic danger to the St. Louis community if released and poses a direct danger to those individuals she and others steal from.

3. There is a serious risk that the defendant will flee.

4. The defendant is a threat to the community.

WHEREFORE, there are no conditions or combination of conditions that will reasonably assure defendant's appearance as required and the safety of any other person and the community and the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
UNITED STATES ATTORNEY

/s/ John J. Ware

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